

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

JOSHUA HORTON,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 1:23-cv-01239-STA-jay
)	
CENTURION OF TENNESSEE, LLC;)	
TENNESSEE DEPARTMENT OF)	
CORRECTION; NORTHWEST)	
CORRECTIONAL COMPLEX;)	
RICHARD P. GUERRANT, III, M.D.; and)	
TOMMIE JUNE HENDRIX LABONTE,)	
APRN,)	
Defendants.)	

NOTICE OF APPEAL

Notice is hereby given that Joshua Horton, Plaintiff, appeals to the United States Court of Appeals for the Sixth Circuit from the district court's order granting summary judgment to the Defendants as to Plaintiff's § 1983 claims for deliberate indifference and unconstitutional policy or custom [ECF No. 113] entered in this action on the 4th day of June 2025.

Plaintiff designates the following issues on appeal:

- 1) Whether the district court erred in finding that Plaintiff failed to present enough evidence for a factfinder to evaluate the adequacy of the treatment provided by Defendant Richard P. Guarrant, III, M.D. ("Dr. Guarrant") and the severity of the harm caused by the inadequate treatment;
- 2) Whether the district court erred in finding that Plaintiff failed to present enough evidence for a factfinder to evaluate the adequacy of the treatment provided by Defendant Tommie

June Hendrix Labonte, APRN (“N.P. Labonte”) and the severity of the harm caused by the inadequate treatment; and

- 3) Whether Plaintiff showed that the care he received was grossly incompetent or inadequate, or that Dr. Guerrant or N.P. Labonte knew of and deliberately disregarded a serious risk to Plaintiff’s health.

Respectfully submitted.

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CERTIFICATE OF SERVICE

I hereby certify on June 26, 2025, that a true and exact copy of the foregoing document has been filed electronically. In compliance with Fed. R. Civ. P. 5(b)(2)(E), notice of this filing will be sent by operation of the Court’s electronic filing system to all parties indicated on the electronic filing receipt. The following will also be served via electronic mail upon:

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Tommie June Hendrix Labonte, APRN

/s/ Luvell L. Glanton

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